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April 11, 2011

Gloria Moran, Esq.
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U.S. Environmental Protection Agency
1445 Ross Avenue, Suite 1200
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*Via Certified Mail/Return Receipt Requested
& E-mail to Moran.Gloria-Small@epamail.epa.gov*

In Re: Falcon Refinery Superfund Site/2725 Bishop Road, Ingleside, San Patricio County,
Texas

Dear Ms. Moran:

In response to our telephone conference last Friday, April 8, 2011, on behalf of National Oil Recovery Corporation ("Norco") I am pleased to confirm that Norco is prepared to immediately proceed to finish the work required under the Removal Action.

This work will be performed by Norco's contractor, TRC Environmental Corporation, pursuant to a Master Service Agreement, dated February 28, 2011, under the supervision of Mr. Stephen Halasz, P.G., who, as you know, is intimately familiar with this project.

As a reminder, to date at the Falcon Refinery, under Mr. Halasz's supervision, Norco has:

- Developed a Removal Action Work Plan, which was EPA approved;
- Developed a Site Specific Health and Safety Plan;
- Developed Monthly Progress Reports;
- Disposed of 7,774,721 gallons of liquid waste via deep well injection;
- Recycled 67,840 pounds of metal;
- Characterized and disposed of 40 cubic yards of grossly impacted soil;
- Characterized and disposed of 15 cubic yards of hazardous soil;
- Recycled over 16,000 gallons of oil and oil filters;
- Characterized and disposed of over 75 abandoned and buried drums;
- Sampled for and disposed of asbestos wrapping on pipelines;

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- Excavated and capped 10 pipelines in the adjacent wetlands during two separate mobilizations; and
- Responded to and cleaned up leaking tanks and vessels, as needed.

This remaining work will proceed immediately upon notice to Norco that the U.S. Environmental Protection Agency ("EPA") has rescinded its Removal Action work takeover set forth in the EPA's letter addressed to me dated March 28, 2011, but received by me on April 5, 2011.


Needless to say, allowing Norco to proceed will expedite the completion of the Removal Action. This benefit would be doubly true if Norco were allowed to proceed with the RI/FS work.

Is there any additional information the EPA needs on the qualifications of TRC Environmental Corporation under Mr. Halasz's supervision to complete the Removal Action work?

I would appreciate your confirming that a decision on the part of the EPA to impose a lien on the Falcon Refinery site will be placed on hold pending the outcome of the EPA's deliberation of the issue of Norco continuing with the work under the Removal Action, which hold would include an extension of the fourteen days within which Norco would have to contest the intention on the part of the EPA to impose a lien on the Falcon Refinery site.

I look forward to the EPA's favorable response to this letter.

Very truly yours,



Richard F. Bergner
Attorney for National Oil Recovery Corporation

RFB:sjh